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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,918	07/12/2001	Terry Covert	COVERT001	1510
7590 11/04/2005				
EUGNE R. QUINN, JR. 4030 COOL WATER COURT WINTER PARK, FL 32792				
			EXAMINER COBANOGU, DILEK B	
			ART UNIT 3626	PAPER NUMBER

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/903,918	Applicant(s) COVERT, TERRY	
	Examiner Dilek B. Cobanoglu	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 to 18 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 6 to 16 and 18 are rejected under 35 U.S.C. 102(e) as being unpatentable by Luchs et al. (U.S. Patent No.4,831,526).

A. As per claim 1, Luchs et al. discloses a method for pricing and selling Family Protector Insurance comprising:

- i. receiving information relative to the proposed purchase of Family Protector Insurance (Luchs et al.; col.3, lines 9-12);
- ii. determining the price of the Family Protector Insurance (Luchs et al.; col.3, lines 34-36);
- iii. conveying the price (Luchs et al.; col.3, lines 34-38) and policy terms (Luchs et al.; col.3, line 66 to col.4, line 1) to the party interested in purchasing Family Protector Insurance.

B. As per claim 6, Luchs et al. discloses the method of claim 1, further comprising the step of inputting the information into a computer or agent terminal (Luchs et al.; col.3, lines 17-21).

C. As per claim 7, Luchs et al. discloses the method of claim 1, further comprising the step of inputting the information into a computer or agent terminal (Luchs et al.; col.3, lines 17-21) and of conveying the information to the insurer via computer network (Luchs et al.; col.2, lines 59-64).

D. As per claim 8, Luchs et al. discloses the method of claim 1, wherein the step of receiving information relative to the proposed purchase of Family Protector Insurance is accomplished by receiving the information via a computer network (Luchs et al.; col.2, lines 59-64 and col.3, lines 34-36).

E. As per claim 9, Luchs et al. discloses the method of claim 1, further comprising the steps of conveying information to the insured (Luchs et al.; col.3, lines 34-38).

F. As per claim 10, Luchs et al. discloses the method of claim 1, further comprising the steps of conveying information to the insured wherein the step of conveying the information to the insurer includes conveying the information via computer network (Luchs et al.; col.3, lines 34-38 and col.2, lines 59-64).

G. As per claim 11, Luchs et al. discloses the method of claim 1, wherein the step of receiving information relative to the proposed purchase of Family Protector Insurance is accomplished by an insurance agent obtaining the

information from the party interested in purchasing the Family Protector Insurance (Luchs et al.; col.3, lines 17-29).

H. As per claim 12, Luchs et al. discloses the method of claim 1, wherein the step of determining is accomplished by a computer program calculating the price based upon the information received (Luchs et al.; col.5, lines 43-50 and col.3, lines 34-36).

I. As per claim 13, Luchs et al. discloses the method of claim 1, wherein the step of conveying the purchase price is accomplished by conveying the purchase price to the party interested in purchasing Family Protector Insurance through a computer network (Luchs et al.; col.2, lines 59-64 and col.3, lines 34-38).

J. As per claim 14, Luchs et al. discloses the methods of claims 1, further comprising the step of receiving a request to purchase Family protector Insurance (Luchs et al.; col.3, lines 9-12).

K. As per claim 15, Luchs et al. discloses a data processing apparatus for determining a price for Family Protector Insurance comprising:

- i. a central controller having a CPU and a memory operatively connected to the CPU (Luchs et al.; col.2, lines 59-64);
- ii. at least one terminal connected to the central controller that is adapted for communicating with the central controller (Luchs et al.; col.2, lines 59-64 and col.3, lines 34-36);
- iii. the memory in the central controller containing a program (Luchs et al.; col.2, lines 59-64 and col.5, lines 43-50), adapted to be executed by

the CPU, for determining a price for Family Protector Insurance based upon information received by the central controller (Luchs et al.; col.3, lines 34-36).

L. As per claim 16, Luchs et al. discloses the apparatus of claim 15, wherein the program in the memory is adapted to receive a request to purchase Family Protector Insurance (Luchs et al.; col.3, lines 9-12).

M. As per claim 18, Luchs et al. discloses a data processing apparatus for selling Family Protector Insurance comprising a terminal adapted to communicate with a central controller that calculates a price of the Family Protector Insurance (Luchs et al.; col.3, lines 34-38).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (U.S. Patent No.4,831,526) in view of Mitcham (U.S. Patent No. 5,537,315).

A. As per claim 2, Luchs et al. discloses the method of claim 1, wherein the step of receiving information includes receiving name (Luchs et al.; col.3, lines 21-29) and social security number.

Luchs et al. fails to expressly teach the receive the social security number, per se, since it appears that Luchs et al. is more directed to obtain any

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information necessary in providing a policy and premium quotation.

However, this feature is well known in the art, as evidenced by Mitcham

In particular, Mitcham discloses a method and apparatus for issuing insurance from kiosk, which user enters name, address and telephone number (Mitcham; col.6, lines 31-34) wherein company requests social security number (Mitcham; col.6, lines 39-43).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the obtaining any information necessary in providing a policy and premium quotation with the requesting social security number with the motivation of the additional information needed by the company (Mitcham; col. 6, lines 39-41).

B. As per claim 17, Luchs et al. discloses the apparatus of claim 15, wherein the program in the memory is adapted to receive a request to purchase Family Protector Insurance (Luchs et al.; col.3, lines 9-12) and where the program is further adapted to perform a credit card transaction to purchase the insurance to the purchasing party.

Luchs et al. fails to expressly teach to perform a credit card transaction, per se, since it appears that Luchs et al. is more directed to appraising the customer the cost of the insurance. However, this feature is well known in the art, as evidenced by Mitcham.

In particular, Mitcham discloses a method and apparatus for issuing insurance from kiosk, which is an interactive multimedia kiosk (Mitcham;

col.3, lines 31-35) wherein, the kiosk includes a credit card entry system (Mitcham; col.3, lines 34-37).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the appraising the customer the cost of the insurance with a credit card entry system with the motivation of the user selection to pay for the insurance with a credit card (Mitcham; col. 4, lines 23-25).

6. Claims 3 to 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (U.S. Patent No.4,831,526) in view of Lynch et al. (U.S. Patent No. 6,901,384).

A. As per claim 3, Luchs et al. discloses the method of claim 1, wherein the step of receiving information includes receiving a copy of the court ordered divorce decree.

Luchs et al. fails to expressly teach to receive a copy of the court ordered divorce decree, per se, since it appears that Luchs et al. is more directed to obtain information such as insured's name, address and any other information necessary (Luchs et al.; col.3, lines 25-29). However, this feature is well known in the art, as evidenced by Lynch et al..

In particular, Lynch et al. discloses a system and method for automated process of deal structuring wherein, miscellaneous stipulations include requiring the customer to provide a copy of the divorce decree (Lynch et al.; col.24, lines 40-44).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the obtaining information such as insured's name, address and any other information necessary with requiring the customer to provide a copy of the divorce decree with the motivation of the offeror or insurer to determine the stipulations that apply to the customer (Lynch et al.; col. 24, lines 12-16).

B. As per claim 4, Luchs et al. discloses the method of claim 1, wherein the step of receiving information includes receiving a copy of the court order containing the child support award.

Luchs et al. fails to expressly teach to receive a copy of the court ordered child support award, per se, since it appears that Luchs et al. is more directed to obtain information such as insured's name, address and any other information necessary (Luchs et al.; col.3, lines 25-29). However, this feature is well known in the art, as evidenced by Lynch et al..

In particular, Lynch et al. discloses a system and method for automated process of deal structuring wherein, miscellaneous stipulations include requiring the customer to provide a copy of the divorce decree (Lynch et al.; col.24, lines 40-44) and also exemplary documentation such as alimony and child support (Lynch et al.; table 22).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the obtaining information such as insured's name, address and any other information necessary with

requiring the customer to provide a copy of the divorce decree with the motivation of the offeror or insurer to determine the stipulations that apply to the customer (Lynch et al.; col. 24, lines 12-16).

C. As per claim 5, Luchs et al. discloses the method of claim 1, wherein the step of receiving information includes receiving a copy of the court ordered alimony award.

The obviousness of modifying the teaching of Luchs et al. to include receiving a copy of the court ordered alimony award (as taught by Lynch et al.) is as addressed above in the rejection of claim 4 and incorporated herein.


Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not used prior art teach "Method and apparatus for insuring the funding of a future liability of uncertain cost" 4,839,804, "Life insurance method, and system" 5,752,236, "Method and apparatus for providing professional liability coverage" 5,752,237, "Method for combining loan with key employee life insurance" 5,966,693, "Apparatus and method for transacting marketing and sales of financial products" 5,987,434, "Method and system for processing and recording the transactions in a medical savings fund account" 6,044,352, "System and method for real-time rating, underwriting and policy issuance" 2002/0091550, "Systems and methods for a personal, universal, integrated organizer for legacy planning and storage" 2002/0111946.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-272-8295. The examiner can normally be reached on 8-4:30.
9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Art Unit 3626



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